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C O N F I D E N T I A L SECTION 01 OF 02 ROME 002660

SIPDIS

E.O. 12958: DECL: 05/31/2007

TAGS: [IT](#) [MW](#) [OPRC](#) [PGOV](#) [MW](#) [OPRC](#) [PGOV](#) [SR](#) [SRIT](#) [EUN](#)

SUBJECT: POSSIBLE ITALIAN INDICTMENT OF MONTENEGRIN  
PRESIDENT

REF: BELGRADE 1312

CLASSIFIED BY: POL MIN-COUNS THOMAS COUNTRYMAN, 1.5 B AND D

[11.](#) (C) SUMMARY: THE APPARENT INTENTION OF THE INDEPENDENT  
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ANTI-MAFIA PROSECUTOR TO PROCEED WITH AN INVESTIGATION OF  
PRESIDENT DJUKANOVIC IS A NOT UNEXPECTED RESULT OF A  
YEARS-LONG PROBE, AND A MASSIVE ONGOING TRIAL, INTO CIGARETTE  
SMUGGLING ACROSS THE ADRIATIC. IT IS NOT/NOT, HOWEVER,  
MOTIVATED BY ANY POLITICAL INTENTION ON THE PART OF THE  
ITALIAN GOVERNMENT. END SUMMARY

[12.](#) (U) ITALIAN PRESS HAS REPORTED IN DETAIL ON THE INTENTION  
OF THE ANTI-MAFIA PUBLIC PROSECUTOR IN BARI, GIUSEPPE SCELSEI,  
TO ENTER MONTENEGRIN PRESIDENT DJUKANOVIC ON THE LIST OF  
PERSONS UNDER INVESTIGATION ON CHARGES OF MAFIA CONSPIRACY  
FOR THE PURPOSE OF INTERNATIONAL TRAFFICKING IN CONTRABAND  
CIGARETTES. DETAILS OF THE POTENTIAL INDICTMENT, AS REVEALED  
IN AN INTERVIEW WITH CHIEF ANTI-MAFIA PROSECUTOR PIERLUIGI  
VIGNA, ARE SIMILAR TO THOSE PREVIOUSLY REVEALED IN ZAGREB'S  
"NACIONAL" AND OTHER REGIONAL PUBLICATIONS. THEY INCLUDE:  
THE INVOLVEMENT OF THE ITALIAN CRIME SYNDICATES IN THE  
REGIONS OF NAPLES (CAMORRA) AND PUGLIA (SACRA CORONA UNITA);  
PAYMENT TO DJUKANOVIC BY THE ITALIAN CRIME SYNDICATES OF UP  
TO THREE MILLION USD A MONTH; AND LAUNDERING PROCEEDS THROUGH  
THE CYPRIOT-BASED COMPANY DULWICH. LEADING TURIN NEWSPAPER  
"LA STAMPA" REPORTS THAT SCELSEI IS ALSO HUNTING DOWN  
DJUKANOVIC'S ASSETS, ISSUING LETTERS ROGATORY SEEKING  
INFORMATION ON DJUKANOVIC'S ACCOUNTS TO AUTHORITIES IN CYPRUS  
(COMMENT: GOOD LUCK!), SWITZERLAND AND OTHER EUROPEAN  
COUNTRIES.

[13.](#) (U) ITALIAN PROSECUTORS ARE OBLIGATED BY LAW TO  
INVESTIGATE ANY ALLEGATION OF CRIMINAL ACTIVITY THAT THEY  
RECEIVE. NORMALLY, A PROSECUTOR WOULD NOT RELEASE THE KIND  
OF DETAILS THAT SCELSEI HAS UNTIL THE INVESTIGATION HAD TURNED  
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UP SIGNIFICANT CORROBORATING DETAIL OF THE ALLEGATION. THE  
BARI PROSECUTOR HAS BEEN PURSUING LEGAL ACTION AGAINST  
CIGARETTE SMUGGLERS SINCE AT LEAST 1999, FOCUSING ON ITALIAN  
CRIME FIGURES AND MULTINATIONAL TOBACCO COMPANIES EVEN MORE  
THAN ON MONTENEGRINS. TWENTY-EIGHT PEOPLE HAVE SO FAR  
RECEIVED JAIL SENTENCES, ACCORDING TO THE PRESS. ANOTHER 80  
SUSPECTS, THE MAJORITY OF THEM ITALIAN, ARE CURRENTLY ON  
TRIAL IN BARI. IN ADDITION, THE PROSECUTOR'S TRAIL HAS  
PROBABLY BEEN AIDED BY ARRESTS IN THE LAST EIGHTEEN MONTHS OF  
LEADING ITALIAN CRIMINALS INVOLVED IN TOBACCO SMUGGLING.

[14.](#) (C) THERE ARE CONFLICTING REPORTS AS TO WHETHER OR NOT  
SCELSEI HAS RECEIVED AN OPINION FROM THE ITALIAN MFA ON  
DJUKANOVIC ENJOYING IMMUNITY FROM PROSECUTION. A SOURCE IN  
SCELSEI'S OFFICE SAID HE HAD TAKEN THIS STEP BEFORE GOING  
PUBLIC, BUT THE MFA HAS ISSUED A STRONG DENIAL THAT IT HAD  
BEEN CONSULTED OR GIVEN AN OPINION. EMBASSY HAS BEEN UNABLE  
TO REACH AN AUTHORITATIVE OFFICIAL OF THE MFA WHO COULD  
CONFIRM OR DENY, BUT WE WILL KEEP TRYING.

[15.](#) (C) LJUBISA PEROVIC, THE GOM'S REPRESENTATIVE IN ROME, HAS  
BEEN BESIEGED BY ITALIAN, SERBIAN AND MONTENEGRIN  
JOURNALISTS. HE TOLD POLMC MAY 30 THAT HE WAS FRUSTRATED BY  
HIS INABILITY TO GET ANY CONCRETE INFORMATION FROM EITHER THE  
MFA OR SCELSEI'S OFFICE. (PEROVIC, WHO WAS YUGOSLAV  
CONSUL-GENERAL IN BARI FOR FIVE YEARS BEFORE OPENING  
MONTENEGRO'S OFFICE IN ROME, DESCRIBED SCELSEI AS A "CLOSE  
FRIEND AND ADVERSARY.") BY HIS INFORMATION, THE KEY EVIDENCE  
AGAINST DJUKANOVIC HAD COME FROM A "PENTITO" (TERM USED FOR  
MAFIA SMALL-FRY WHO TESTIFY AGAINST THEIR BOSSES), AN ITALIAN  
WHO THE GOM HAD EXTRADITED FROM MONTENEGRO AT GOI REQUEST.  
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HE THOUGHT THAT THIS INDIVIDUAL WASN'T ANYONE WHO WAS  
ACTUALLY PERSONALLY KNOWN TO DJUKANOVIC, BUT CONCEDED IT WAS  
POSSIBLE THAT THE PROSECUTOR HAD OTHER EVIDENCE AS WELL.

[16.](#) (C) PEROVIC PROBED FOR ANY INDICATION OF THE MOTIVES FOR  
ANNOUNCING THE INVESTIGATION NOW, JUXTAPOSING IT SUCCESSIVELY  
WITH: THE ITALIAN PARLIAMENT'S DECISION TO FORM A SPECIAL  
COMMITTEE TO INVESTIGATE FORMER FM DINI'S ROLE IN THE SALE OF  
SERBIA TELEKOM IN 1997; THE RECENT VISIT OF SERBIAN PM

DJINDJIC TO ROME; DJUKANOVIC'S SUCCESS IN LOCAL ELECTIONS;  
AND THIS WEEK'S VISIT TO PODGORICA OF DEPUTY MINISTER OF  
FOREIGN TRADE ADOLFO URSO, THE HIGHEST LEVEL GOI VISITOR IN  
SOME MONTHS. (JUST BEFORE THE NEW STORY BROKE, BOTH ITALIAN  
AND MONTENEGRIN PRESS PROMINENTLY PLAYED URSO'S PARTING  
COMMENTS PRAISING MONTENEGRO FOR MEASURES TAKEN TO CURB  
ILLEGAL CROSS-BORDER TRADE.) HE ALSO CRITICIZED AT LENGTH  
THE FINANCE MINISTER IN THE PREVIOUS GOVERNMENT, OTTAVIANO  
DEL TURCO, WHO HAD MADE CRITICISM OF MONTENEGRO A TRADEMARK  
OF HIS TENURE AND WAS AGAIN SHOOTING OFF HIS MOUTH. HE NOTED  
THAT ITALIAN PRESS CRITICISM OF MONTENEGRO AS A BASE FOR  
SMUGGLERS, A STAPLE STORY IN 2000, HAD LARGELY DISAPPEARED.  
PEROVIC SAID THAT THIS WAS NOT BECAUSE OF THE CHANGE IN  
ITALIAN GOVERNMENT IN MAY 2001, BUT BECAUSE THE PROBLEM HAD  
LARGELY BEEN BROUGHT UNDER CONTROL. (COMMENT: IT'S TRUE THAT

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ACTION EUR-00

INFO	LOG-00	NP-00	AID-00	CIAE-00	INL-00	DODE-00	SRPP-00
	DS-00	FBIE-00	VC-00	H-01	TEDE-00	INR-00	L-00
	VCE-00	AC-01	NSAE-00	NSCE-00	OMB-01	OPIC-01	PA-00
	PM-00	PRS-00	ACE-00	P-00	SCT-00	SP-00	SSO-00
	TRSE-00	WSIE-00	PMB-00	DSCC-00	DRL-02	G-00	NFAT-00
	SAS-00	SWCI-00	/006W				

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O 311654Z MAY 02  
FM AMEMBASSY ROME  
TO SECSTATE WASHDC IMMEDIATE 4010  
INFO EUROPEAN POLITICAL COLLECTIVE PRIORITY  
AMCONSUL NAPLES PRIORITY  
AMCONSUL FLORENCE  
AMCONSUL MILAN

C O N F I D E N T I A L SECTION 02 OF 02 ROME 002660

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BERLUSCONI'S GOVERNMENT HAS BEEN LESS INTERESTED THAN ITS  
PREDECESSOR IN CRITICIZING MONTENEGRO. THE ITALIAN MFA HAS  
ALSO TOLD US THAT ALL OF ITS INDICATIONS ARE THAT MONTENEGRO  
IS NO LONGER A MAIN SOURCE OF CIGARETTES SMUGGLED INTO  
ITALY.) TO ALL OF THESE COMMENTS, POLMC REPLIED THAT THERE  
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IS NO REASON TO BELIEVE THAT SCELSI HAD ANY REASON TO BE  
INFLUENCED BY "ANTI-MONTENEGRIN CIRCLES" OR TO HAVE A  
POSITION ON THE FEDERAL RELATIONS BETWEEN SERBIA AND  
MONTENEGRO.

17. (C) COMMENT: IT'S TO BE EXPECTED THAT MANY MONTENEGRINS,  
AND NOT A FEW ITALIAN NEWSPAPERS, WOULD SEEK A HIDDEN  
SIGNIFICANCE IN THE EXACT TIMING OF THIS NEWS. IT IS ALSO  
UNDERSTANDABLE THAT DJUKANOVIC SUPPORTERS (AND EVEN HIS  
DETRACTORS) WOULD SEEK TO EXPLAIN THE MOVE AS A POLITICAL  
MEASURE RELATED TO ITALY'S DETERMINATION TO KEEP MONTENEGRO  
WITHIN YUGOSLAVIA. BUT IT JUST AIN'T TRUE. ITALY'S  
PROSECUTORS, AS WE'VE REPORTED PREVIOUSLY, ARE EVEN MORE  
AUTONOMOUS THAN THEIR US COUNTERPARTS; THEY LITERALLY ANSWER  
TO NO ONE. THE INABILITY OF THE GOVERNMENT TO INFLUENCE HOW  
AND WHO THE PROSECUTORS CHOOSE TO INVESTIGATE HAS BEEN A  
CONSTANT ANNOYANCE TO PRIME MINISTER BERLUSCONI, WHO HAS  
FACED A SERIES OF INVESTIGATIONS, INICTMENTS AND TRIALS  
LASTING RIGHT UP TO TODAY. BECAUSE OF ITS HISTORY, ITALY HAS  
GIVEN THE SPECIL ANTI-MAFIA PROSECUTORS EVEN MORE PROCEDURAL  
LEEWAY IN INVESTIGATION AND PROSECUTION OF ORGANIZED CRIME  
ACTIVITY. NOR IS IT LIKELY THAT A FIGURE NOW IN THE  
OPPOSITION (DINI OR DEL TURCO) WOULD HAVE A MOTIVE (LINGERING  
SYMPATHY FOR MILOSEVIC?!) TO TAKE THE RISK OF PUSHING THE  
PROSECUTOR TO GO PUBLIC. ONE TYPE OF POLITICAL MOTIVE CANNOT  
BE RULED OUT: THE AMBITION OF A PROSECUTOR TO MAKE A NAME FOR  
HIMSELF. EVEN WITH THAT POSSIBILITY, THIS CASE IS VERY MUCH  
WHAT IT APPEARS TO BE: A COMPLEX, LONG-TERM, ANTI-MAFIA  
INVESTIGATION MOVING GRADUALLY UPWARD FROM LOWER TO HIGHER  
LEVEL. END COMMENT  
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